THE UNITED STATES PATENT AND TRADEMARK OFFICE

Timothy L. Alseth, et al

10/811,539

Filed:

March 29, 2004

Title:

HEAVY-DUTY DEMOLITION APPARATUS WITH BLADE STABILIZING PUCK

OH & F

Confirmation No.:

2269

Group Art Unit:

3724

Docket No.:

33144.24

Attorney:

Gerald E. Helget

Additional Fees: Charge to Briggs and Morgan, P.A. Deposit Account No. 02-3732

Mail Stop - Petition Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

TRANSMITTAL COVER LETTER

Enclosed for filing please find the following:

- 1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R 1.137(b) with copy of Notice of Abandonment Under 37 C.F.R 1.53 (f) or (g) (4 pgs.);
- 2. Amendment, Request and Fee to Add Names of Inventors of Invention Originally Disclosed and Now Being Claimed (37 C.F.R 1.48 (C)) (2 pgs.);
- Response to Notice to File Missing Parts of Nonprovisional Application (4 pgs.); 3.
- A fully executed Declaration (3 pgs.); 4.
- Seven (7) sheets of corrected drawings (7 pgs.); 5.
- Transmittal of Information Disclosure Statement Before Mailing Date of a First Office Action; 6.
- Information Disclosure Statement with twelve (12) cited references; 7.
- 8. A check in the amount of \$1,695.00; and
- 9. Postcard receipt.

Respectfully submitted,

Gerald E. Helget (Reg. No. 30,94

Briggs and Morgan, P.A. 2200 IDS Center

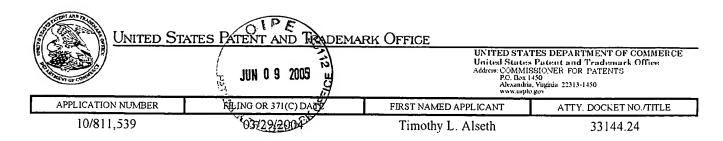
80 South Eighth Street

Minneapolis, MN 55402 Telephone: 612-977-8480

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to Mail Stop - Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

1777157v1



32300 BRIGGS AND MORGAN P.A. 2200 IDS CENTER 80 SOUTH 8TH ST MINNEAPOLIS, MN 55402

RECEIVED

CONFIRMATION NO. 2269
ABANDONMENT/TERMINATION
LETTER
OC00000015453375

Date Mailed: 03/14/2005

MAR 17 2005

BRIGGS AND MORGAN, P.A. IP DOCKETING DEPT

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/09/2004.

No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

- 1. A properly itemized date-stamped postcard receipt (see MPEP § 503):
- 2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
- 3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE